

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

HIGH TECH HIGH,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2012040826

ORDER GRANTING MOTION TO  
AMEND COMPLAINT (SECOND  
AMENDED COMPLAINT)

On April 19, 2012, High Tech High filed a Due Process Hearing Request (complaint), naming Student. On September 17, 2012, the Office of Administrative Hearings (OAH), granted High Tech High's request to amend its complaint (first amended complaint). On October 30, 2012, High Tech High filed a request to amend its first amended complaint (second amended complaint). On October 30, 2012, Student filed a notice of non-opposition to High Tech High's request.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(i).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order or other date if applicable. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: October 30, 2012

/s/

JUDITH PASEWARK

Administrative Law Judge

Office of Administrative Hearings

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<sup>1</sup> All statutory citations are to Title 20 United States Code unless otherwise indicated.